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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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Amendment of Parts 15 and 90)
of the Commission's Rules to)
Provide Additional Frequencies)
for Cordless Telephones)

ET Docket No. 93-235

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OPPOSITION

Pursuant to § 1.429(f) of the Commission's Rules (47 C.F.R. § 1.429(f)) AT&T respectfully submits the following Opposition to the Petition for Reconsideration ("Petition") filed by the American Petroleum Institute ("API"). The Petition seeks reconsideration of the Commission's Report and Order ("Order") allocating frequencies in the 44 and 49 MHz bands for fifteen additional cordless telephone channels.¹

The Petition insists, as did API's comments and reply comments, that cordless telephones operating on the new frequencies will interfere with the Private Land Mobile Radio Service ("PLMRS") operations of its members and that the rule adopted by the Commission to address that concern is insufficient. The new rule, however, addresses any legitimate API concerns. That rule (new § 15.233 (b)(2))

¹ FCC 95-148, released April 10, 1995.

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requires cordless telephones operating on the new channels automatically to search for a vacant channel before establishing communications and thus prevents any interference to a channel occupied by a PLMRS user.

The Petition claims that interference to PLMRS can nevertheless occur because the cordless telephone is not required to vacate a channel if, after the communication is established, nearby PLMRS use occurs. This claim lacks merit. As AT&T pointed out (Reply Comments, pp. 2-3), there is no substantial possibility that a cordless telephone operating at about 25 microwatts on a vacant channel will prevent communications on that very channel between PLMRS base stations operating at 100-300 watts and PLMRS mobile stations operating at 25-30 watts. The Order correctly concludes that cordless telephones "will not pose a significant risk of harmful interference to PLMRS operations" (§ 16).

Rather than PLMRS being harmed by interference from cordless telephones, the very large power differences between the two uses means that, if anything, the cordless telephone user may have to change to another channel if nearby PLMRS usage occurs on the original channel.²

² The Order correctly notes that there are no or few PLMRS operations in most densely populated areas (§ 17).

Although not likely to occur frequently, if PLMRS usage did interrupt a cordless telephone conversation, the conversation can be continued by switching to another available channel (Order, ¶ 24).

API's Petition also seeks Commission action that is both inconsistent with the primary thrust of its arguments and unwarranted in any event. API proposes that a 2-inch by 3-inch warning label be required on the outside of cordless telephone packaging and on the equipment itself (p. 7). This proposed label, which contains some bold face type and some underlined language, states that commercial radio use may make the cordless telephone conversation difficult to understand, and that the cordless telephone user must accept this interference and has no legal basis to complain (id.).

API maintains that failure to require this label "reflects a lack of concern for the consumer" (Petition, p. 8). However, cordless telephone manufacturers, concerned

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for their customers, can be relied upon to provide appropriate information. API's label proposal should be rejected.

Respectfully submitted,

AT&T CORP.

By: _____



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Dated: July 11, 1995

CERTIFICATE OF SERVICE

I, Karen Gillis, do hereby certify that on this 11th day of July, 1995, a copy of AT&T's Opposition has been served by first class mail, postage prepaid, upon the parties listed below:

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